

REMARKS

The Applicants have carefully considered this application in connection with the Examiner's Action and respectfully request reconsideration of this application in view of the foregoing amendments and the following remarks.

The Applicants originally submitted Claims 1-20 in the application and added Claims 21-33 in a preliminary amendment. In response to a restriction requirement, the Applicants elected to prosecute Claims 7-13 and, in accordance with the present Examiner's Action, Claims 21-33 have been withdrawn from consideration by the Examiner. Also, Claim 1 is herein amended to remove an inadvertent reference to the term "its" in the claim. The amendment to Claim 1 does not bear on the patentability thereof, especially in view of the cited references. Accordingly, Claims 7-13 are currently pending in the application.

I. Formal Matters

The Examiner has objected to the oath/declaration for failing to provide the full name, without abbreviation, of each inventor in accordance with 37 C.F.R. §1.63(a)(3). In response, the Applicants provide herewith a Supplemental Declaration including the full name of all of the inventors. In accordance therewith, the Applicants request that the Examiner withdraw the objection to the oath/declaration.

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II. Rejection of Claims under 35 U.S.C. §102

The Examiner has rejected Claims 7-10, 12 and 13 under 35 U.S.C. §102 as being anticipated by U.S. Patent No. 5,473,143 to Vak, *et al.* ("Vak"). As the Examiner is no doubt aware, anticipation requires that each and every element of the claimed invention be disclosed in a single prior art reference; the disclosed elements must either be disclosed expressly or inherently and must be arranged as in the rejected claims. While Vak generally discloses an automated teller machine ("ATM") and point of sale ("POS") electronic mail ("e-mail") system, the reference fails to disclose a method for processing an in-person bill payment at a point of sale location as recited in the Claim 7 of the present application.

Vak is directed to an e-mail system and service that users can authorize, generate and capture messages and responses. To access the e-mail service, a user enters a debit, credit or identification card into either an ATM or POS terminal. The terminal in conjunction with a local processor acquires the user's identity, the user's security information, and the user's desire to retrieve or enter messages. The local ATM or POS processor then passes this information through a processor for the ATM or POS institution to the information processor at the user's financial institution. It is also possible, based on the current state of the art of ATM and POS network systems, that the approval process may take place during an alternate account transaction processing step. Upon receipt of the information, the processor for the user's financial institution confirms the user's identity and authorizes the user to access the e-mail service. The identification and authorization procedures are a routine operation on the ATM and POS networks.

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After a user's access to the e-mail system has been approved by the financial institution, a clearing house processor for the ATM or POS networks permits the user to access the e-mail message service control function. The message service control function differentiates among the various transactions (message or financial) involved in the e-mail communication that are in addition to the financial transactions normally exchanged over the ATM or POS network. The message service control function performed by the clearing house processor also tracks the status and steps required to complete the e-mail transmission.

The message service control function on the clearing house processor passes user entered e-mail control information to a special purpose store and forward message switch for retrieving the user's messages or permitting the user to originate or transmit messages to other users. The store and forward message switch then returns messages or verification of status of messages for other users back through the message service control function of the clearing house processor for transmission back to the user at the ATM or POS terminal. The clearing house processor also separately passes accounting information to the user's financial institution for recording usage of the e-mail services. (Column 2, line 10 to column 3, line 9 of Vak).

While Vak generally describes transacting business via an e-mail system, the reference fails to disclose, among other things, assigning a transaction identifier to a transaction, storing an electronic image of a transaction document in an image memory with an image identifier, linking the image identifier to a transaction identifier, and transmitting to an image server a copy of each electronic image and its image identifier and linked transaction identifier as recited in the method of Claim 7. While the Examiner points to various sections of Vak to teach the aforementioned

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elements, the Applicants do not believe that the reference anticipates the claimed invention.

More specifically, the Examiner points to column 13, lines 49 *et seq.* of Vak for assigning a transaction identifier to a transaction and further asserts that assigning an image identifier to an image of the transaction and linking that image identifier to the transaction identifier is inherent. The Examiner asserts that storing an image is akin to assigning an image identifier to an image of the transaction and linking that image identifier to the transaction identifier. (Page 4 of the Examiner's action). The Applicants respectfully disagree.

To exemplify the differences, an embodiment of the present invention will hereinafter be described in accordance with FIGURES 3 and 4 of the application. After a bill for payment has been scanned by a reader and a good image has been obtained therefrom, the scanned image is stored in an image memory. In accordance therewith, each image stored in the image memory is assigned a unique identifier number (*i.e.*, an image identifier) that is linked to a separate unique identifier number that is assigned to each transaction (*i.e.*, a transaction identifier). As an example, the image identifier may include a serial number of a point of sale terminal from which the image identifier was created, a time/date that the image was formed and sequence number such as a number of the scanned image for a particular time/date. After transaction information is entered into the point of sale terminal by automatic or manual entry, the point of sale terminal processes the transaction with a payment server as described in the application. (Page 12 *et seq.* of the present application).

The Applicants believe, therefore, that it is not inherently disclosed in Vak to assign an image identifier to an image of the transaction and link that image identifier to the transaction identifier. First, the Examiner admits that Vak does not expressly teach the aforementioned

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action. Additionally and contrary to the Examiner's supposition, "knowing" where the image is stored in memory is not the same or analogous to proactively assigning an image identifier to an image of the transaction and linking that image identifier to the transaction identifier.

Therefore, Vak does not disclose each and every element of Claim 7 and the claims dependent thereon, and, as such, is not an anticipating reference. Accordingly, the Applicant respectfully requests the Examiner to withdraw the §102 rejection in view of Vak with respect to Claims 7-10, 12 and 13.

III. Rejection of Claims under 35 U.S.C. §103

The Examiner has rejected Claim 11 under 35 U.S.C. §103(a) as being unpatentable over Vak in view of U.S. Patent No. 5,652,802 to Graves, *et al* ("Graves"). The Examiner asserts that Vak discloses a method for processing an in-person bill payment at a point of sale terminal as recited in Claims 7 and 10, but fails to specifically disclose that the transaction information is generated by comparing the electronic image to a pre-stored template containing an expected electronic image as recited in Claim 11. The Examiner introduces Graves for the purpose of teaching a method of optical character generation that compares a scanned image to a pre-stored template containing an expected electronic image to identify and authenticate the scanned document. (Page 6 of the Examiner's action). The Applicants respectfully assert that the claimed invention is not obvious in view of the foregoing references, and that the Examiner has failed to establish a *prima facie* case of obviousness of Claim 11.

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As discussed above, Vak fails to teach or suggest all of the elements of the method for processing an in-person bill payment at a point of sale location as recited in independent Claim 7. Since Vak fails to teach or suggest all of the elements of Claim 1, as explained above, and Graves fails to cure the deficiencies thereof, the Examiner cannot establish a *prima facie* case of obviousness of Claim 11, which ultimately depends on Claim 7, with the combination of Vak and Graves. The Applicants therefore respectfully traverse the Examiner's rejection of Claim 11.

In view of the foregoing remarks, the cited references do not support the Examiner's rejection of Claim 11 under 35 U.S.C. §103(a). The Applicants therefore respectfully request the Examiner withdraw the rejection.

IV. Prior Art Made of Record but not Relied on

The Applicants believe that the prior art made of record but not relied on is not particularly pertinent to the present application. The Applicants, however, retain to the right to specifically address the references, if necessary, in the future.

V. Conclusion

In view of the foregoing amendments and remarks, the Applicants now see all of the claims currently pending in this application to be in condition for allowance and therefore earnestly solicit a Notice of Allowance for Claims 7-13.

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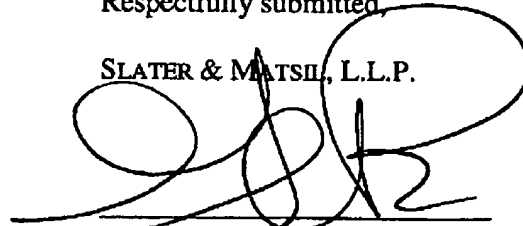
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The Applicants request that the Examiner to telephone the undersigned attorney of record at (972) 732-1001 if such would further expedite the prosecution of the present application.

Respectfully submitted,

SLATER & MATSIL, L.L.P.

A large, stylized handwritten signature in black ink, appearing to read 'G. Boisbrun', is written over the firm name and extends across the signature line.

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